



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

IH2 PROPERTY WEST, L.P.,) Case No. CV 14-656-UA (PJWx)
)
Plaintiff,) [PROPOSED] ORDER SUMMARILY REMANDING
) IMPROPERLY-REMOVED ACTION
v.)
)
PAULTEP WISUSKEOW, AKA SHAWN)
WISUSKEOW,)
)
Defendant.)

Before the Court is an unlawful detainer action that has been removed from the Riverside County Superior Court. For the following reasons, the case is summarily remanded to the state court.

On April 3, 2014, Defendant Shawn Wisuskeow, having been sued in the Superior Court of Riverside in what appears to be a routine unlawful detainer action, removed the action to this court. Simply stated, since Plaintiff could not have brought this action in federal court in the first place because there is no subject matter jurisdiction, removal of the action is improper. 28 U.S.C. § 1441(a); see *Exxon Mobil Corp. v. Allapattah Svcs., Inc.*, 545 U.S. 546, 563 (2005). The case does not meet the requirements of 28 U.S.C. § 1331 because it does not raise a federal question, contrary to Defendant's

1 claim that it does. And, though Defendant has not alleged diversity
2 jurisdiction under 28 U.S.C. § 1332, the Court has considered the
3 issue and finds that it appears from the face of the complaint that
4 the amount in controversy is less than \$10,000.

5 Accordingly, IT IS ORDERED that (1) pursuant to 28 U.S.C.
6 § 1447(c), this matter is REMANDED to the Superior Court of
7 California, County of Riverside, 13800 Heacock Street, Moreno Valley,
8 California 92553; (2) the clerk shall send a certified copy of this
9 Order to the state court; and (3) the clerk serve copies of the Order
10 on the parties.

11 IT IS SO ORDERED.

12 DATED: 4/14/14

13 
14 GEORGE H. KING
UNITED STATES DISTRICT JUDGE

15 Presented by:

16 
17 PATRICK J. WALSH
18 UNITED STATES MAGISTRATE JUDGE